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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/764,507

01/27/2004

Hiroshi Mochizuki

026575-068

9258

21839 7590 01/09/2007  
BUCHANAN, INGERSOLL & ROONEY PC  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER

NATNITHADHA, NAVIN

ART UNIT

PAPER NUMBER

3735

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/764,507

Applicant(s)

MOCHIZUKI, HIROSHI

Examiner

Navin Natnithithadha

Art Unit

3735

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 18-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Claims 1-17 have been cancelled. Claims 18-36 have been added. Claims 18-36 are pending.
2. The objection to claim 1 is WITHDRAWN in view of the Amendment.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 18-36 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

4. Claim 36 recites the limitation "the housing" in line 4. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 18-20, 23-27, 30-33, 35, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sano et al, US 5,511,551 A ("Sano"), in view of Hirano et al, US 5,031,630 A ("Hirano").

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Claims 18-20, 23-27, 30-33, 35, and 36: Sano teaches a cuff apparatus (cuff, see fig. 1) for measuring blood pressures, comprising: a chassis (cylindrical outer case) 4; a hollow cylindrical airbag (chamber for compressed air) 6; a plurality of fixed cushions (protruding bodies, see figs. 1 and 3) 12, which have uneven sides (not flat) on an inner surface and are spaced apart in a lengthwise direction of the airbag; and an elastic band-shaped member (belt) 1; wherein the cylindrical airbag is formed by bending an elongated rectangular airbag strip in a cylindrical shape, and overlapping opposite end portions of the airbag strip in a longitudinal direction thereof (see figs. 2, 3, 9-11); an auxiliary cushion (one of the plurality of cushions, see fig. 14) is provided at least one of the ends of the airbag; a plurality of fasteners, each having a flange (screws, not labeled, in fig. 7) shaped like a mushroom cap, and the chassis has engagement holes, which are shaped like a gourd, in which the flanges of the fasteners are fitted (screwed in), thereby fastening the airbag 6 to the chassis 4; a fastener (connector tube) 5 having a conduit therein for supplying and discharging compressed air into and from the airbag, and for detecting pressure of the compressed air in the airbag (see col. 6, ll. 31-33 and 63-66); and a cloth cover 121 having a securing ring 122 to removably secure the cloth cover 121 to the housing (cuff main unit) 120 (see fig. 13).

Sano does not teach first and second microphones, which are arranged in the airbag to oppose each other. However, Hirano teaches an automatic blood pressure measuring apparatus including an inflatable cuff 10; and first microphones 18, 20, 22, and opposing second microphones 24, 26, 28 arranged on the inflatable cuff 10 (see fig. 1 and col. 7, ll. 12-43). Therefore, it would have been obvious for one of ordinary skill in

the art at the time the invention was made to modify Sano in order to reliable and accurate blood pressure measurement (see Hirano, col. 7, ll. 25-28 and 41-43).

6. Claims 21, 22, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sano in view of Hirano, as applied to claim 18 above, and further in view of over Castro et al, US 3,752,147 A ("Castro").

Claims 21, 22, 28, and 29: Sano in view of Hirano does not teach attaching or providing a microphone to the airbag. However, Castro teaches a cloth cover 11, an airbag 12, and means 15 for attaching or incorporating a microphone and/or its components, i.e. cable, to a surface of an airbag 12 (see fig. 1 and col. 2, lines 14-19). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Sano in view of Hirano to have a means for attaching or incorporating microphone(s) to a particular surface of the airbag 6 in order to detect have secure placement of the microphone(s) to the airbag.

7. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sano in view of Hirano, as applied to claim 32 above, and further in view of over Pillsbury, US 5,277,187 A ("Pillsbury").

Claim 34: Sano does not teach a filter provided in the conduit (connector tube) 5. However, Pillsbury teaches a pneumatic system 101 including an inflatable cuff 102, a conduit 104, a filter 106, and the conduit 108 (see fig. 4 and col. 3, ll. 28-37). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention

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was made to modify Sano's conduit 5 to have a filter in order to filter dirt, dust, and debris of a predetermined size from the airbag (see Pillsbury, col. 3, ll. 32-36).

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

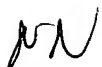
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Navin Natnithithadha whose telephone number is (571) 272-4732. The examiner can normally be reached on Monday-Friday, 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor, II can be reached on (571) 272-4730. The fax phone

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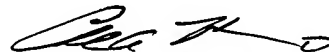
number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



NN

01/05/2007



Charles A. Marmor, II  
Supervisory Patent Examiner  
Art Unit 3735